



## SENATE BILL 1063.

### For the Further Prevention of Cruelty to Animals in the District of Columbia.\*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That hereafter no person shall perform on a living vertebrate animal any experiment calculated to give pain to such animal, except subject to the restrictions hereinafter prescribed. Any person performing or taking part in performing any experiment calculated to give pain in contravention of this Act shall be guilty of an offense against this Act, and shall, if it be the first offense, be liable to a penalty not exceeding one hundred and fifty dollars, and if it be the second or any subsequent offense, shall be liable, at the discretion of the court by which he is tried, to a penalty not exceeding three hundred dollars, or to imprisonment for a period not exceeding six months.

SEC. 2. That the following restrictions are imposed by this Act with respect to the performance on any living vertebrate animal of an experiment calculated to give pain to such animal; that is to say:

(a) The experiment must be performed with a view to the advancement by new discovery of physiological knowledge, or of knowledge which will be useful for saving or prolonging life or alleviating suffering; and

(b) The experiment must be performed by a person holding such license from the Commissioners of the District of Columbia as in this act mentioned, or by a duly authorized officer of the Government of the United States, or of the District of Columbia; and

(c) The animal must, during the whole of the experiment, be completely under the influence of ether or chloroform sufficiently to prevent the animal from feeling pain, excepting only that in so-called inoculation experiments or tests of drugs or medicines, the animal need not be anæsthetized nor killed afterwards, nor in tests of surgical procedure need animals be kept completely anæsthetized during the process of recovery from the surgical operation. Otherwise than this the animal must be kept from pain during all experiments; and

(d) The animal must, if the pain is likely to continue after the effect of the anæsthetic has ceased, or if any serious injury has been inflicted on the animal, be killed before it recovers from the influence of the anæsthetic which has been administered; and

(e) No experiment shall be made upon any living creature, calculated to give pain to such creature, in any of the public schools of the District of Columbia; provided as follows, that is to say:

First. Experiments may be performed under the foregoing provisions as to the use of anæsthetics by a person giving illustrations of lectures in medical schools, hospitals, or colleges, on such certificate being given, as in this Act hereafter mentioned, that the proposed experiments are absolutely necessary for the due instruction of the persons to whom such lectures are given, with a view to their acquiring physiological knowledge, or knowledge which will be useful to them for saving or prolonging life or alleviating suffering;

Second. The substance known as urari or curare shall not, for the purposes of this Act, be deemed to be an anæsthetic; and

Third. Notwithstanding anything in this act contained, no experiment calculated to give pain shall be performed on a dog or cat, except upon such certificate being given, as in this Act mentioned, stating, in addition to the statements hereinbefore required to be made in such certificate, that for reasons specified in the certificate the object of the experiment will be necessarily frustrated unless it is performed on an animal similar in constitution and habits to a cat or dog, and no other animal is available for such experiment; and an experiment calculated to give pain shall not be performed on any horse, ass, or mule, except on such

\*As favorably reported to the Senate May 13, 1897, by the Committee on the District of Columbia.

certificate being given, as in this Act mentioned, that the object of the experiment will be necessarily frustrated unless it is performed on a horse, ass, or mule, and that no other animal is available for such purpose; and

Fourth. Any exhibition to the general public, whether admission be on payment of money or gratuitous, of experiments on living animals, calculated to give pain, shall be illegal.

Any person performing or aiding in performing such experiment shall be deemed to be guilty of an offense against this Act, and shall, if it be the first offense, be liable to a penalty not exceeding one hundred and fifty dollars, and if it be the second or any subsequent offense, shall be liable, at the discretion of the court by which he is tried, to a penalty not exceeding three hundred dollars, or to imprisonment not exceeding six months; and any person publishing any notice of any such intended exhibition by advertisement in a newspaper, placard, or otherwise, shall be liable to a penalty not exceeding ten dollars.

A person punished for an offense under this section shall not for the same offense be punishable under any other section of this Act.

SEC. 3. That the Commissioners of the District may insert, as a condition of granting any license, a provision in such license that the place in which any such experiment is to be performed by the licensee is to be registered in such manner as the said Commissioners may from time to time by any general or special order direct: *Provided*, That every place for the performance of experiments for the purpose of instruction shall be approved by the said Commissioners, and shall be registered in such manner as the said Commissioners may from time to time by any general or special order direct.

SEC. 4. That the Commissioners of the District, upon application as herein-after prescribed, may license any person whom they may think qualified to hold a license to perform experiments under this Act: *Provided only*, That a license shall not be granted to any person under the age of twenty-five years, unless he be a graduate from a medical college, duly authorized to practice medicine in the District of Columbia.

SEC. 5. That the Commissioners of the District may direct any person performing experiments under this Act from time to time to make reports to them of the methods employed and the results of such experiments, in such form and with such details as the said Commissioners may require.

SEC. 6. That the President of the United States shall cause all places where experiments on living vertebrate animals are carried on, in the District of Columbia, to be, from time to time, visited and inspected without previous notice, for the purpose of securing compliance with the provisions of this Act; and to that end shall appoint four inspectors, who shall serve without compensation, and who shall have authority to visit and inspect the places aforesaid, and who shall report to the President of the United States from time to time the results of their observations therein, which shall be made public by him.

SEC. 7. That any application for a license under this Act, and for a certificate to be given as in this Act mentioned must be signed by three physicians duly licensed to practice and actually engaged in practicing medicine in the District of Columbia, and also by a professor of physiology, medicine, anatomy, medical jurisprudence, materia medica, or surgery in the medical department of any duly established reliable school or college in the District of Columbia: *Provided*, That when any person applying for a certificate under this Act is himself one of the persons authorized to sign such certificate, the signature of some other of such persons shall be substituted for the signature of the applicant.

A certificate under this section may be given for such time or for such series of experiments as the persons signing the certificate may think expedient.

A copy of any certificate under this section shall be forwarded by the applicant to the Commissioners of the District, but shall not be available until one week after a copy has been so forwarded.

The Commissioners of the District may at any time disallow or suspend any certificate given under this section.

SEC. 8. That the powers conferred by this Act of granting a license or giving a certificate for the performance of an experiment on living animals may be exercised by an order in writing, under the hand of any judge of a court of record having criminal jurisdiction in the District, in a case where such judge is satisfied that it is essential for the purpose of justice in a criminal case to make such experiment